

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENTUCKY FORGE, INC. and PHOENIX	:	CIVIL ACTION NO. 02-CV-4569
FORGING COMPANY, INC.,	:	
	:	
Plaintiffs,	:	JURY TRIAL DEMANDED
	:	
v.	:	
	:	
MILLENNIUM FORGE, INC.,	:	
	:	
Defendant.	:	

JOINT MOTION FOR ENTRY OF ORDER OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), Plaintiffs Kentucky Forge, Inc. ("Kentucky") and Phoenix Forging Company, Inc. ("Phoenix") and Defendant Millennium Forge, Inc. ("Millennium") hereby jointly request this Court to enter the enclosed Stipulation and Order of Dismissal, and in support thereof state as follows:

Kentucky, Phoenix and Millennium have settled the claims and counterclaims in this case by entering into two agreements: (i) the Interim Settlement Agreement and (ii) the Mutual Release and Settlement Agreement. These agreements are attached as Exhibits A and B, respectively, to the Stipulation and Order of Dismissal submitted herewith.

Kentucky, Phoenix and Millennium agreed to allow this Court to retain jurisdiction over the enforcement of the parties' two settlement agreements.

The Mutual Release and Settlement Agreement states that the parties will file a joint motion requesting this Court to retain jurisdiction over the enforcement of the terms of the Interim Settlement Agreement and the Mutual Release and Settlement Agreement.

This Court is permitted to enter an order of dismissal which embodies the settlement agreements entered into by the parties to the suit and which allows the Court to retain

jurisdiction over the enforcement of the settlement agreements if the parties so stipulate.

Kokkonen v. Guardian Life Ins. Co. of America, 511 U.S. 375, 381-82 (1994).

WHEREFORE, the parties respectfully request this Court to dismiss all claims and counter-claims in this case with prejudice and retain jurisdiction to enforce the parties' settlement agreements by signing the Stipulation and Order of Dismissal submitted herewith.

Respectfully submitted,

Date: September ___, 2003

STEVENS & LEE

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Date: September ___, 2003

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